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02-19-02

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02/14/02

Based on PTO/SB/05503-01

NON-PROVISIONAL PATENT APPLICATION TRANSMITTAL

Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 2101363-991201
First Inventor Wenyuan Shi
Title ANTI-MICROBIAL TARGETING CHIMERIC
PHARAMACEUTICAL
Express Mail Label No. EL864388559US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents

ADDRESS TO: Commissioner of Patents and Trademarks
Box Patent Application
Washington, DC 20231

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original, and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages: 30]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R&D
 - Reference to sequence listing, a table,
or a computer program listing appendix
 - 3 1/2 diskette containing computer listing
 - Background of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawings(s) (35 U.S.C. 113) [Total Sheets 4]
5. ☒ Oath or Declaration [Total Pages 4]
 - a. ☒ Newly executed (original or copy) - UNSIGNED
 - b. ☐ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
 - i. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s)
named in the prior application, see 37 CFR
1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR. 1.76.

7. ☐ CD-ROM or CD-R in duplicate, large table or
Computer Program (Appendix)
8. ☐ Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - a. ☐ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ 3 1/2 Diskette
 - ii. ☐ paper
 - c. ☐ Statements verifying identify of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☐ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☒ Request and Certification under 35 U.S.C. 122
(b)(2)(B)(i). Applicant must attach form PTO/SB/35
or its equivalent.
17. ☐ Other: _____

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☒ Continuation-in-part of prior acceptance No.: 09/910,358 /

Prior application information: Examiner: Unknown Group/Art Unit: 3732

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label 29585 or ☐ Correspondence address below
(Insert Customer No. or Attach bar code label here)

Name	Nan Wu				
Address	Gray Cary Ware & Freidenrich LLP				
	139 Townsend Street, Suite 400				
City	San Francisco	State	California	Zip Code	94124
Country	USA	Telephone	(415) 836-2500	Fax	(415) 836-9220

NAME (Print/Type)	Nan Wu	Registration No. (Attorney/Agent)	43,360
Signature		Date	February 14, 2002

Based on PTO/SB/17 (10-01)

**FEE TRANSMITTAL
for FY 2002**

Patent fees are subject to annual revision.

Complete if Known

Application Number	New
Filing Date	Herewith
First Named Inventor	Wenyuan Shi
Examiner Name	Unknown
Group Art Unit	Unknown
Attorney Docket No.	2101363-991201

TOTAL AMOUNT OF PAYMENT (\$1,244.00)**METHOD OF PAYMENT**

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number	07-1896
Deposit Account Name	Gray Cary Ware & Freidenrich LLP

- ☒
- Charge Any additional Fee Required Under 37 CFR 1.16 and 1.17

- ☒
- Applicant claims small entity status. See 37 CFR 1.27

- 2.
- ☒
- Payment Enclosed:**

- ☒
- Check in the amount of \$
- 1,244.00

FEE CALCULATION**1. BASIC FILING FEE**

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	740.00
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$740.00)**2. EXTRA CLAIM FEES**

	Extra Claims	Fee from below	Fee Paid
Total Claims 48 -20** = 28 X 18 =	28	18	504.00
Independent Claims 1 -3** = 0 X 42 =	0	42	0.00
Multiple Dependent X 280 =	280		

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	80	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$504.00)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) _____

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)**SUBMITTED BY**

Name (Print/Type)

Nan Wu

Registration No.
(Attorney/Agent)

43,360

Telephone

(415) 836-2500

Signature

Date

Feb. 14, 2002

Please type a plus (+) sign inside this box

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Based on PTO/SB/05 (03-01)

Express Mail Label Number: EL864388559US

*I hereby certify that this Utility Patent Application is
being deposited with the United States Postal Service
"EXPRESS MAIL Post Office to Addressee" service under 37
CFR 1.10 on the date indicated above and is addressed to
Box Patent Application, Commissioner of Patents &
Trademarks; Washington, DC 20231.*

02-14-02

Date

Ta. Tawaka L. Moore
Signature

02-14-02

NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(i)	First Named Inventor		Wenyuan Shi
	Title	ANTI-MICROBIAL TARGETING CHIMERIC PHARAMACEUTICAL	
	Atty Docket Number		2101363-991201

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

Gray Cary Ware & Freidenrich LLP

February 14, 2002

Date

By

Nan Wu

Reg. No. 43,360

Attorneys for Applicant(s)

139 Townsend Street, Suite 400

San Francisco, CA 94107-1922

Telephone No. (415) 836-2500

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Express Mail Certificate No. EL864388559US

I hereby certify that this correspondence is being deposited with the United States Postal Service "EXPRESS MAIL Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Box Patent Application, Commissioner of Patents & Trademarks; Washington, DC 20231.

Feb. 14, 2002

Date

J. Thomas
Signature
Ta. Thomas Moore